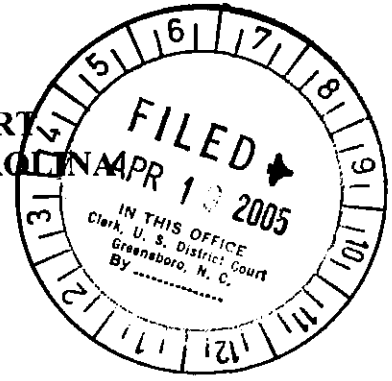


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



GEORGE BENNETT,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

1:05CV00128

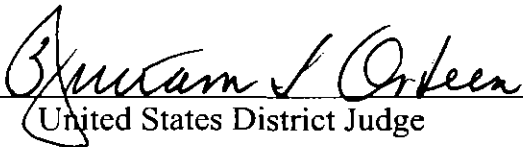
6:94CR189-2

J-U-D-G-M-E-N-T

On February 16, 2005, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED AND ADJUDGED that Petitioner's "petition motion to amend proceeding" [Pleading No. 228] be construed as a motion to vacate, set aside or correct sentence, and that the motion to vacate be dismissed without prejudice for failure to obtain certification for this § 2255 application by filing a Motion for Authorization in the court of appeals.


United States District Judge

Date: April 19, 2005